



500.28006C10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: M. Horiguchi et al.

Serial No.: 10/813,240

Filed: March 31, 2004

For: A SEMICONDUCTOR DEVICE HAVING
REDUNDANCY CIRCUIT

Group: 2824

Examiner: J. HUR

TERMINAL DISCLAIMER

Commissioner for Patents
POB 1450
Alexandria, VA 22313-1450

Sir:

Your petitioner Hitachi, Ltd., located at 6 Kanda Surugadai 4-Chome, Chiyoda-ku, Tokyo, Japan, represents through the undersigned attorney of record, that it is the sole owner of the entire interest of U.S. application Serial No. 10/813,240, filed March 31, 2004, for A SEMICONDUCTOR DEVICE HAVING REDUNDANCY CIRCUIT and (1) hereby disclaims the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term, defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer (if applicable), of U.S. Patent No. 5,617,365, and (2) hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and the prior U.S. Patent No. 5,617,365 are commonly owned.

This disclaimer is to be binding with respect to any patent granted on the above-identified application, and is binding upon grantees, their successors, or assignees of any interests.

In making the above disclaimer, the petitioner (owner), however, does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term, defined in 35 U.S.C. §§ 154 to 156 and 173, of prior U.S. Patent No. 5,617,365, as presently shortened by any terminal disclaimer therein (if applicable), as noted above, in the event that prior U.S. Patent No. 5,617,365: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321; has all claims canceled by a reexamination certificate; is reissued; or is otherwise terminated prior to the expiration of the above-referred-to full statutory term, except for the separation of legal title as stated above.

The undersigned hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,
ANTONELLI, TERRY, STOUT & KRAUS, LLP



Alan E. Schiavelli
Reg. No. 32,087

Dated: December 27, 2004
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